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THE BRITISH SOUTH AFRICA COMPANY.

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ADMINISTRATION OF NORTH-EASTERN RHODESIA.

(Government Notice No. 9 of 1902.)

Regulations for the Preservation of Game.

Administrator's Office, Fort Jameson,
August 1, 1902.

WHEREAS, under the provisions of "The North-Eastern Rhodesia Order in Council, 1900," the Administrator, with the approval of His Majesty's Commissioner, has power to make Regulations for peace, order, and good government, it is hereby notified that the Administrator has, in pursuance of the above powers, made the following Regulations :—

Preservation of Wild Animals.

1. "The Game Regulations of 1900" are hereby repealed. — Repeal.

2. These Regulations may be cited as "The Game Regulations, 1902." — Title.

3. In these Regulations, "hunt, kill, or capture" mean hunting, killing, or capturing by any method, also all attempts to hunt, kill, or capture, and "hunting" includes molesting. — Interpretation.

"Game" means any animal mentioned in any of the Schedules.

"Person" means an individual of any nationality.

"Native" means a native of Africa not being of European or American race.

"Game reserve" means the Mweru Marsh Reserve, and includes any tract of land specially set aside with the object of preserving animals and notified as such by the Administrator by Proclamation.

"Imprisonment" means imprisonment with or without hard labour.

4. The Administrator may by Proclamation notify any tract of land to be a "game reserve," and may from time to time define or alter the limits and boundaries thereof, and such tract of land shall then be a "game reserve" within these Regulations. — Appointment of game reserves.

5. Any person who shall hunt, kill, or capture any animal within a game reserve, save as in these Regulations or in any special licence may be expressly allowed, or shall be found within a game reserve in such circumstances as show that he was unlawfully in pursuit of any animal, shall be guilty of an offence against these Regulations. — Hunting in a game reserve.

6. Nothing in these Regulations shall relieve any person from the obligation of taking out any licence which for the time being is required to be taken out for the possession or use of a gun, except that the holder of any special licence shall not be required to take out a gun licence. — Licensed hunters (except special) to take gun licences.

Ordinary licences.

7. No person shall hunt, kill, or capture any of the animals in Schedules 1, 2, or 3 mentioned, unless he is authorized by an ordinary licence.

Special licences.

8. No person shall hunt, kill, or capture any of the animals in Schedule 2 mentioned, unless he is authorized by a special licence.

Administrator's licence.

9. No person shall hunt, kill, or capture any of the animals in Schedule 1 mentioned, unless he is authorized by an Administrator's licence.

Female and young protected.

10. No person shall hunt, kill, or capture the immature young of the elephant, or the female when accompanying its young, of any of the animals mentioned in Schedules 1, 2, or 3, unless he is authorized by an Administrator's licence.

Immature elephants.

11. If any person is found in possession of any elephant tusks weighing less than 11 lb., or of any ivory being, in the opinion of the Court, part of an elephant's tusk which would have weighed less than 11 lb., he shall be guilty of an offence against these Regulations, and the tusk or ivory shall be forfeited, unless he proves that the tusk was not obtained in breach of these Regulations.

Administrator may vary the Schedules.

12. The Administrator may, by Proclamation, alter and amend any of the Schedules hereto by adding the name of any species, variety, or sex of any animal or fish thereto, or by transferring any names from one Schedule to another, and may, if he shall think fit, apply any such alteration to the whole territory, or confine it to any district in which such animals may require either protection or reduction in numbers.

Administrator may insert conditions in licences.

13. The Administrator may at any time and from time to time make any conditions as to the numbers, age, or sex to be hunted, killed, or captured, by inserting such conditions in the licence before it is granted. Any breach of such conditions shall be an offence against these Regulations.

Close time.

14. No person shall hunt, kill, or molest any animal in Schedules 1, 2, or 3 mentioned during any time that may hereafter be notified by the Administrator as a "close time" in respect to such animals.

Traps.

15. No person shall make or use any pitfall, snare, trap, or engine for the purpose of killing or capturing any of the animals mentioned in Schedules 1, 2, or 3.

Explosives.

16. No person shall use dynamite or any other explosive or any poison for the purpose of taking fish unless by the written permission of the Administrator.

Young, eggs, &c., of noxious beasts, &c.

17. A reward fund may be established by the Administrator for the reward of persons bringing in to any Civil Commissioner any male or female, or young or egg, of any of the animals mentioned in Schedule 4.

Curtailment of destructive methods.

18. Where it appears to the Administrator that any method employed for killing or capturing any animals or fish is unduly destructive, he may, by Proclamation, prohibit or limit any such method, and the use thereof shall thereafter be an offence against these Regulations.

Licences, contents of.

19. Licences granted under these Regulations shall be—

(1.) From the 1st January to the 31st December;

(2.) Not transferable;

(3.) Produced on demand by any officer in the Administration of North-Eastern Rhodesia;

(4.) Indorsed with any general or special condition that it may seem good to the Administrator to require;

(5.) Revocable on conviction for any breach of these Regulations or of any such general or special condition; and

(6.) The granting or refusal of all such licence shall be absolutely in the discretion of the Administrator.

Trespass.

20. No licence granted under these Regulations shall entitle the holder to trespass on private property, except in pursuit of an animal lawfully wounded outside of such property.

Penalties.

21. Any person who shall hunt, kill, or capture any animal in breach of these Regulations, or shall otherwise commit any breach of these Regulations or (being a licence-holder) of any general or special condition of his licence, shall, on conviction, be liable to a fine not exceeding 50*l.*, or where the offence relates to more animals than two, to a fine in respect of each animal not exceeding 25*l.*, and in either case to imprisonment for a term not exceeding two months, with or without a fine.

Forfeiture.

22. In all cases of conviction for any offence against these Regulations, any live animals and any heads, horns, tusks, skins, or other remains of any animals found in the possession or under the control of the person convicted shall be liable to forfeiture.

Animals damage feasant or threatening life.

23. Nothing in these Regulations shall make it an offence to hunt, and, if necessary, to kill any animal damage feasant, or to kill any such animal when necessary to do so for the preservation of human life; but in all such cases the onus of proof shall be on the person claiming exemption.

Trade in skins, &c., improperly obtained.

24. No person shall, or shall attempt to, sell, purchase, barter, or export any horns, skins, tusks, teeth, feathers, or flesh of any animal or bird in either of the 1st, 2nd, or 3rd Schedules hereto mentioned, unless the same has been killed in accordance with these Regulations.

Search for and forfeiture of such skins.

25. Any Magistrate, Assistant Magistrate, or Justice of the Peace, if he has reason to believe that any portion of any animals or birds so wrongfully killed is in the possession or under the control of any person, or is intended to be exported, may search, or cause to be searched, any place where he has reason to believe any such articles to be, and may seize and detain them and prevent their exportation until he shall be satisfied that such animals or birds were killed in conformity with these Regulations and not otherwise, and, in default of such proof, may declare the same to be forfeited, and they shall be forfeited accordingly.

Natives not to be given guns to kill game.

26. No person shall employ a native to hunt, kill, or capture any game. A licence-holder, however, when hunting animals, may employ natives to assist him; but such natives shall not use fire-arms.

Natives dependent on flesh of wild animals for food.

27. When the members of any native tribe, or the native inhabitants of any village, appear to be dependent on the flesh of wild animals for their subsistence, the Magistrate of the district may, with the approval of the Administrator, by order in writing, authorize the tribesmen or inhabitants, as the case may be, to kill animals within such area and subject to such conditions as may be prescribed by the order.

ROBERT CODRINGTON,
Administrator.

Approved:

ALFRED SHARPE,
His Majesty's Commissioner and Consul-General.

Zomba, British Central Africa,
August 31, 1902.

SCHEDULES.

[These Schedules may contain the names of some species or varieties not found in North-Eastern Rhodesia.]

SCHEDULE 1.

Animals to be hunted, killed, or captured, only under an Administrator's licence:—

Series (*A*).—On account of their usefulness:—

1. Vultures.
2. The Secretary-bird.
3. Owls.
4. Rhinoceros-birds, or Beef-eaters ("Buphaga").

Series (*B*).—On account of their rarity and threatened extermination:—

1. The Giraffe.
2. The Gorilla.
3. The Chimpanzee.
4. The Mountain Zebra.
5. Wild Asses.
6. The White-tailed Gnu (*Connochoetes* gnu).
7. Elands (*Taurotragus*).
8. The Little Liberian Hippopotamus.

SCHEDULE 2.

Animals to be hunted, killed, or captured, only under a special licence:—

1. The Elephant.
2. The Rhinoceros.
3. The Wildebeest Gnu (except white-tailed species).
4. Sable, or Roan.
5. Kudu.
6. Hippopotamus.
7. Zebras of the species not referred to in Schedule 1.
8. Buffaloes.

SCHEDULE 3.

Animals to be hunted, killed, or captured, under an ordinary game licence:—

1. The Hippopotamus.
2. The Wart-hog.
3. The Bush-pig.
4. Any antelopes and gazelles not named in Schedules 1 or 2.
5. Ibex.
6. Chevrotains

SCHEDULE 4.

1. The Lion.
2. Leopard.
3. Hyænas.
4. The Hunting-dog (*Lycaon pictus*).
5. The Otter (*Lutra*).
6. Baboons (*Cynocephalus*) and other harmful monkeys.
7. Large birds of prey, except Vultures, the Secretary-bird, and Owls.
8. Crocodiles.
9. Poisonous Snakes.
10. Pythons.